

ASSIGNED

Serial No. 4568

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office AUG 30 1917

Returned to applicant for correction _____

Corrected application filed _____

The undersigned Pearl Toyn, Name of applicant.
of Lee, County of Elko,
State of Nevada, hereby makes application for
permission to appropriate the public waters of the State of Nevada,
as hereinafter stated. (If applicant is a corporation give date and
place of incorporation.) _____

1. The source of the proposed appropriation is Willow Creek,
Name of stream, lake, or other source.
2. The amount of water applied for is one second-foot.
One second-foot equals 40 miners' inches.
3. The water to be used for Irrigation and domestic purposes,
Irrigation, power, mining, manufacturing, domestic, or other use.
4. The water is to be diverted from its source at the following
point: This is an application for permit to change point of diversion
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land it should be so stated.
and place of use of water. See Supplemental sheet.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

- (a) Number of acres to be irrigated is _____
- (b) Description of land to be irrigated _____
Describe by legal subdivision, or if on unsurveyed land it

should be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.

- (c) Irrigation will begin about _____ and end about _____
Month.
_____, of each year.
Month.

IF WATER IS TO BE USED FOR POWER, MINING, TRANSPORTATION, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

- (d) Power to be developed is _____ horsepower.
- (e) Works to be located _____
Give 40-acre subdivision on which works will be located, or locate by course and distance to a section corner.

- (f) Point of return of water to stream _____
Describe in same manner as point of diversion.

(g) Remarks _____

DESCRIPTION OF PROPOSED WORKS

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water

is to be stored in reservoirs it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works _____

6. Estimated time required to construct works _____

7. Remarks _____

For use of applicant.

_____, Applicant.

By _____

Compared _____

This sheet inspected _____

_____, Engineer.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed _____ cubic feet per second.

Actual construction work shall begin on or before _____

Proof of commencement of work shall be filed before _____

Work must be prosecuted with reasonable diligence and be completed on or before _____

Application of water to beneficial use shall be made on or before _____

Proof of the application of water to beneficial use must be filed with State Engineer on or before _____

WITNESS MY HAND AND SEAL this _____ day

of _____

State Engineer.

IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA.

APPLICATION FOR PERMISSION TO CHANGE THE POINT OF DIVERSION
AND THE PLACE OF USE OF THE WATERS OF THE STATE OF NEVADA.

Date of first receipt and filing in State Engineer's office, AUG 30 1917.
Returned to applicant for correction, _____.
Corrected application filed, _____.

The undersigned, PEARL TOYN, of Lee, County of Elko, State of Nevada, hereby makes application to change the point of diversion and the place of use of waters heretofore appropriated and beneficially used as hereinafter shown:

I.

The source of the water supply of the proposed change is Willow Creek in the County of Elko, State of Nevada.

II.

The quantity of water desired to be changed is one cubic foot per second.

III.

The water is to be used for irrigation and domestic purposes.

IV.

The water is to be diverted from its source at the following point:--In the Southwest quarter of the Northwest quarter of Section 2, Township 30 North, Range 56 East, M.D.B. & M.

V.

The existing points of diversion under the former appropriation are as follows:--Southeast quarter of Southeast quarter Section 33, Township 31 North, Range 56 East, for ditch No.5; Southwest quarter of Southeast Quarter of Section 33, Township 31 North, Range 56 East, for ditch No.10; Northwest quarter of Northwest quarter, of Section 3, Township 30 North, Range 56 East, for ditch No.11; and the Northeast quarter of the Northwest quarter of Section 4, Township 30 North, Range 56 East, M.D.B. & M.

VI.

The change of place of use of water is to be made from the Southeast quarter of the Southwest quarter and Northeast quarter of the Southwest quarter of Section 33, Township 31 North, Range 56 East, and the Northwest quarter of Section 4, and the East half of the Northeast quarter of Section 5, Township 30 North, Range 56 East, M.D.B. & M.

VII.

The water herein desired to be changed has been beneficially and continuously used upon the lands first above described.

VIII.

The number of acres heretofore irrigated is approximately ninety-six and ninety-two hundredths acres.

IX.

The number of acres proposed to be irrigated is ninety-six and ninety-two hundredths acres.

X.

The description of the land proposed to be irrigated is as follows: South half of the Southwest quarter and the South half of the Southeast quarter of Section 34, Township 31 North, Range 56 East, M.D.B. & M.

XI.

The estimated cost of the proposed works is two hundred and fifty dollars.

XII.

The estimated time required to construct the works is two months.

XIII.

Irrigation will begin about April of each year and end about September of each year.

XIV.

The water has been heretofore used during the months of April, May, June, July and August of each year.

XV.

Remarks: The water will be returned to the stream.

Pearl Toyn,

By Cantwell & Carville, Attys.

Subscribed and sworn to before me this ___ day of ___, 1917.

Notary Public.

Compared P.R. Jones
This sheet inspected _____

Engineer.

APPROVAL OF STATE ENGINEER.

SERIAL NO. 4568.

This is to certify that I have examined the foregoing application and do hereby grant the same, subject to the following limitations and conditions:

This permit, to change the point of diversion and place of use of the waters of Willow Creek, is issued with the specific understanding that no prior rights will be affected thereby and with the further understanding that no new rights are granted herewith. The issuance of this permit to change the place of use deprives of any water right, all of the land for which such right is claimed under proof of appropriation No. 00654 in the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 33, T. 31 N., R. 56 E., the NW $\frac{1}{4}$ of Sec. 4 and the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 5, T. 30 N., R. 56 E., M.D.B. & M. No definite amount of water is allowed under this proposed change but the same is limited to that quantity, if any, which will ultimately be determined to be held by the applicant under a vested right. A standard headgate and weir must be installed at or near the new point of diversion to facilitate the measurement and control of water. The State reserves the right to regulate the use of water under this proposed change at any and all times. It is distinctly understood that applicant agrees to the terms herein contained.

Actual construction work shall begin on or before May 30th, 1918.

Proof of commencement of work shall be filed before June 30th, 1918.

Work must be prosecuted with reasonable diligence and be completed prior to July 30th, 1918.

Proof of completion of work shall be filed before August 30th, 1918.

Application of water to beneficial use shall be made on or before May 30th, 1921.

Proof of the application of water to beneficial use must be filed with State Engineer on or before June 30th, 1921.

WITNESS MY HAND AND SEAL THIS 30th day of November, 1917.

Proof of labor filed MAY 20 1918

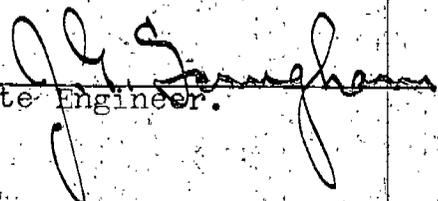
Proof of completion of work filed AUG 13 1918

Map filed DEC 6 1918

Proof of beneficial use filed Dec 21 1923

Cultural Map Filed Dec 20 1923

State Engineer.



Certificate No. 1052 Issued August 14 1924 for 0.1714 cfs for irrigation
Recorded Aug. 19, 1924 BK 3 Page 123-124 of Water Rights
Eek Case in Records

AMT:RPM
H.M.P.-E.B.W.